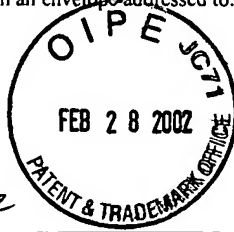


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PATENT
Attorney Docket No.: 018803-002300US

3731



On 02/20/02

TOWNSEND and TOWNSEND and CREW LLP

By: *Brad J. Loos*
Brad J. Loos

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RODNEY A. BRENNEMAN et al.

Application No.: 10/038,413

Filed: October 23, 2001

For: SCALPEL SHEATH AND
METHODS FOR USE

Examiner: Unassigned

Art Unit: 3731

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

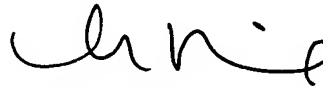
The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Nena Bains
Reg. No. 47,400

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/038,413
Filing Date	October 23, 2001
First Named Inventor	RODNEY A. BRENNEMAN et al.
Group Art Unit	3731
Examiner Name	Unassigned
Attorney Docket Number	018803-002300US

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	2,826,193		Vineberg	03/1958	
	AB	3,455,298		Anstadt	07/1969	
	AC	3,496,932		Prisk et al.	02/1970	
	AD	3,613,672		Schiff	10/1971	
	AE	4,048,990		Goetz	09/1977	
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	AV	5,388,586		Lee et al.	02/1995	
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	BA	5,496,345		Kieturakis et al.	03/1996	
	BB	5,509,294		Gowing	04/1996	
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	BD	5,540,711		Kieturakis et al.	07/1996	
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	BG	5,573,517		Bonutti et al.	11/1996	
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	BI	5,593,418		Mollenauer	01/1997	

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¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet **2** of **3**

Complete if Known

Applicati n Number	10/038,413
Filing Date	October 23, 2001
First Named Inventor	RODNEY A. BRENNEMAN et al.
Group Art Unit	3731
Examiner Name	Unassigned
Attorney Docket Number	018803-002300US

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	BJ	5,601,581		Fogarty et al.	02/1997	
	BK	5,601,589		Fogarty et al.	02/1997	
	BL	5,601,590		Bonutti et al.	02/1997	
	BM	5,607,443		Kieturakis et al.	03/1997	
	BN	5,618,287		Fogarty et al.	04/1997	
	BO	5,624,381		Kieturakis	04/1997	
	BP	5,653,726		Kieturakis	08/1997	
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	BR	5,667,479		Kieturakis	09/1997	
	BS	5,667,520		Bonutti	09/1997	
	BT	5,683,364		Zadini et al.	11/1997	
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	BV	5,690,668		Fogarty et al.	11/1997	
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	BY	5,702,417		Hermann	12/1997	
	BZ	5,707,390		Bonutti	01/1998	
	CA	5,716,325		Bonutti	02/1998	
	CB	5,730,748		Fogarty et al.	03/1998	
	CC	5,730,756		Kieturakis et al.	03/1998	
	CD	5,800,334		Wilk	09/1998	
	CE	5,836,311		Borst et al.	11/1998	
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	CM	6,200,280		Brenneman et al.	03/2001	
	CN	6,253,099		Oskin et al.	06/2001	
	CO	6,263,238		Brewer et al.	07/2001	
	CP	6,280,463		Dupelle et al.	08/2001	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet <u>3</u> of <u>3</u>			Complete if Known	
			Application Number	10/038,413
			Filing Date	October 23, 2001
			First Named Inventor	RODNEY A. BRENNEMAN et al.
			Group Art Unit	3731
			Examiner Name	Unassigned
			Attorney Docket Number	018803-002300US

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	CQ	WO	WO 98/05289			02/1998		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume, issue number(s), publisher, city and/or country where published.		
	CR	Buckman, Jr. et al., "Direct cardiac massage without major thoracotomy: Feasibility and systemic blood flow," <i>Resuscitation</i> 29 (1995) 237-248		
	CS	Buckman, Jr. et al., "Open-chest cardiac massage without major thoracotomy: metabolic indicators of coronary and cerebral perfusion," <i>Resuscitation</i> 34 (1997) 247-253		
	CT	BD Bard-Parker™ Protected Disposable Scalpel printed from http://www.bd.com/surgical/scalpel.asp on 02/14/02 (4 pages total).		

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